REVIEW ARTICLE

Hugh Lewin: *Stones Against the Mirror*

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Stones Against the Mirror, *Hugh Lewin's already much-acclaimed new book, is organised around his treatment of the devastating events associated with the African Resistance Movement (ARM), of which he was a key member, and set against the backdrop of his involvement from 1996 to 1998 in the Human Rights Violation Committee of the Truth and Reconciliation Commission (TRC). Presenting his personal journey of truth and reconciliation internally achieved together with his trenchant commentary on the TRC,* **Stones** *succeeds in nudging us gently into a new, post-TRC moral realm.*

The TRC was personally vindicating for Lewin. Believing, post-Sharpeville, "something spectacular was needed to counter the tactics of a government that could shoot down sixty-nine non-violent protestors in the name of a largely complicit white electorate"[1], ARM members chose "protest sabotage"[2] as their weapon of opposition. Targeting victims "made of metal and concrete, not flesh and blood"[3] (electricity pylons, railway lines) to "avoid any risk of injury to people"[4], and thus distinguishing their moral innocence from the illegal means used to pursue justice and the rule of law[5], ARM's operations were "symbolic acts that would not harm"[6]. "Our prime rationale … had always been that our operations were undertaken on the basis of choosing targets that avoided any risk of injury to people," says Lewin[7]. To the limited extent these pre-1976 events were mentioned by TRC witnesses, it was without recognition of their historical significance[8], not "mak[ing]… a footnote"[9] in the TRC. In *Stones,* Lewin bears witness himself, testifying first-hand to this little-known movement in anti apartheid political and moral history.

On 4 July 1964, in the 'Fourth of July Raids', the security police responded to ARM's series of explosions marking the 12 June conclusion of the Rivonia trial by detaining anyone they still could, including senior Cape Town ARM operative Adrian Leftwich, Lewin's close friend responsible for his recruitment[10]. Leftwich broke under interrogation, "talking," said Cape Town ARM member Michael Schneider, "like nobody's talked before."[11] In 2002, Leftwich described his experience[12].

Fleeing to Swaziland, Schneider met Lewin and others in Johannesburg, warning them of Leftwich's disclosures. Lewin declined their encouragement to overcome his "Christian conscience"[13] and join them as they fled the border that night. With neither passport nor cash, his decision to "stay and see what happened"[14], "to see through the consequences"[15], was, also, principled and courageous[16]. "I did not consider leaving," he says[17]. "Adrian needed support from someone inside the country"[18]. "He was my friend… under threat, in police hands"[19]. "How could I help

him?"[20]. Additionally, "someone needed to stay in Jo'burg to … warn the others"[21]. "[Leaving] would surely be a betrayal"[22]. "I could not run away," he says[23].

Lewin went to warn John Harris, the friend he'd recruited for peripheral involvement in ARM[24] and for whose instructions he was responsible. Anticipating the Special Branch's attention, Lewin and fellow ARM member Ronnie Mutch had met Harris earlier that day. "[A]s others were leaving the country, there was no plan to be discussed, nothing to be 'handed over'; it was merely a sharing of what little information we had left between us – and to warn him to lie low, very low," says Lewin[25]. Lewin told Harris the name of the Wits contact who stored explosives[26]. "I remember us chatting quietly, with no sense of any plan for further actions. There was nothing more to do, I said, with the others now all gone. Nothing left to do, except to keep very quiet," he says[27], repeatedly emphasising this aspect of their discussion.

Shaping every moment of Lewin's life since, the events that subsequently flowed are *Stone's* subject.

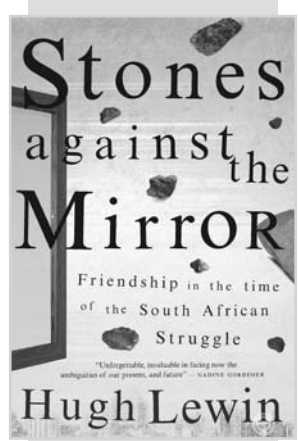
Lewin was detained several hours after meeting Harris. His interrogation was exacerbated by Leftwich's extensive cooperation with the Special Branch[28]. More like Lewin's "twin brother"[29] than fellow undergrounder, Leftwich had been responsible for recruiting Lewin into ARM[30]. "He wasn't just giving our names; now he was playing *their* game for them. Writing *their* script," says Lewin[31], "setting me up …, apparently manipulating the way the stories were to be squeezed out of me"[32].

Lewin relies on others' accounts to trace events unfolding simultaneously outside prison. He couldn't then know that Harris interpreted their last conversations as having been "handed the baton" of ARM[33], considering it his "duty"[34], as 'spear-carrying'[35] leader, "to demonstrate dramatically that there were still anti-apartheid activists undetected by the Special Branch"[36]. He'd have been horrified to hear his recruit arguing, according to ARM-member-turned-state-witness John Lloyd, that, since "all white South Africans were guilty of violence against the black majority"[37], "counter-violence … could not be ruled out on moral grounds"[38]. Harris defended "the loss of a few lives in the short term … if [it] led to the saving of many more lives in the long term"[39], and considered "any possible risk of life" as "a strategic move" that would save more lives by preventing other violent political struggle, said Lloyd[40].

At 4pm on Friday, 24 July, Harris left a suitcase filled with explosives and petrol at Park Station. "This is the African Resistance Movement. We have planted a bomb … It is not our intention to harm anyone. This is a symbolic protest against the inhumanity and injustice of apartheid," the railway police and *Rand Daily Mail* and the *Transvaler* newspapers were warned by phone[41]. The authorities ignored the warnings, leaving the bomb's explosion to seriously injure twenty-two people. Ethel Rhys, aged seventy-seven, died of her wounds.

"To plant that bomb on the station, at that time of day, required a mental shift we had all vehemently opposed. There's a huge gap between the organisation's long-term agreed policy and what John did at the station," states Lewin[42]. "The spear-carrier left us all behind," he says[43].

Lewin believes Harris did not perceive himself as betraying ARM's policy[44],



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"trust[ing] absolutely"[45] that his warnings would be heeded[46] and the concourse cleared for the suitcase to "explode dramatically"[47] without causing injury. "I could never have gone along with John's new plan"[48] which "involved too many imponderables, too much risk," says Lewin[49], who considers Harris's conviction as "a delusion"[50].

Why the police ignored the warnings remains questionable. Lewin suspects the Special Branch already knew (from interrogating Lloyd the previous day[51]) of the planned attack[52]. Declassified security documents further reveal police surveillance of Harris[53]. Relying on undercover intelligence operative Gordon Winter's account of the station bomb, David Beresford holds South Africa's security chiefs (and former *Ossewabrandwag* members), Minister of Justice John Vorster and General Hendrik Van den Bergh responsible for "rig[ging] the case against Harris"[54]:

> "Winter claims that the bomb … was … allowed to go off …[,] the decision … taken by … Van den Bergh and endorsed by … Vorster [who] … had a 'hot line' – a red telephone – for urgent communications with each other. Winter, who claims that the story of the phone call was confided to him by Van den Bergh himself, says the exchange was brief, the security force chief telling Vorster the bomb was in position and Vorster replying 'let it happen'. The implication was, of course, that they had discussed the bomb previously and were prepared to let it go off in a public place for the propaganda effect"[55].

Beresford suggests the "depravity"[56] subsequently characterising the apartheid regime's murderous covert 'third force' activities, unleashed to achieve political results, was already operative in 1964. "The effect [of the station bomb] was sensational. One blast … destroyed the Liberal Party [and] an underground revolutionary organisation at what was no doubt to [the Security Police] the negligible price of the life of a seventy-seven-year old woman," says Beresford[57]. The police "[did] what they accused Harris of doing; murdering 'innocent' people for political gain," says Beresford[58].

The consequences of the explosion for Lewin were devastating. "[S]o much blood on the floor as they battered every detainee in town," says Lewin[59] who, under Van den Bergh's direction[60], was almost fatally tortured by his "two most dreaded interrogators"[61], including Johannes Viktor, "the lead actor [and] embodiment of all that was terrifying and threatening in my nightmares"[62]:

> "Van der Merwe [who accompanied Viktor] wasted no time with me: he tore off my glasses and began thrashing at me, beating me with balled fists. I screamed and cowered, down on the floor, then up again as he kicked me, then more fists, around the eyes and the ears. I felt detached, as if it was happening to somebody else, as if I was looking down a tunnel, at the end of which were his fists and furious mouth, screaming at me. More names, he shouted, more *names!* Who else is there? Who *else*! More fists and, through the pain and the fists and the kicks, I knew he was going to kill me. Though not me – the person at the end of the tunnel, waiting to die. Me"[63].

The panic-filled, "hideous night"[64] was only the beginning of Lewin's torture and torment, which assumed different forms as events continued to unfold.

In solitary confinement[65] and "horrified"[66] at the possibilities of being tried and facing the death sentence with Harris[67], Lewin necessarily analysed his role: "Could we really say that we were not involved with the bomb at the station," he asks[68]. "Ronnie and I gave [Harris] the keys, the baton, with no suggestions to do anything. But, equally, no suggestion *not* to do anything. And I should have known that John would not do *nothing,"* he says[69].

In no way directly or objectively responsible for Harris's bomb, Lewin subjectively assumes moral responsibility both for enabling him and for having omitted to act ("no suggestion not to do anything"). Burdening himself with responsibility for the harm caused by the bomb, Lewin's voice segues, here, into that of a perpetrator:

> "When John's bomb went off, we were in solitary confinement … I did not plant the bomb. I didn't know about it. … But there's something I cannot deny. Before I was detained, I gave John the information he needed to continue our activities. *So I share his responsibility.* I helped created the child's battered body. *As did John,* with his suitcase stuffed with TNT and petrol, which burst and burnt – harmed most dreadfully"[70].

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More tortuous, still, was Harris's execution on 1 April 1965[71]. Given Lewin's morally heightened acceptance of responsibility even for acts of omission, it's unlikely he restrains from self-blame, also, for his friend's tragic fate. He intimates, rather than explicitly states, his sense of responsibility for Harris whose name he, tortured to the verge of death, had given his interrogators: "Through the screams and the shouts and the fists, through it all, I realised that, if they already had John Lloyd [who Lewin had seen] next door, there was only one person I had not yet mentioned. John Harris, with his plan for the luggage room"[72]. Lewin previously records that Harris had proposed a target at ARM's final planning meeting: "An incendiary bomb, armed with the new timer, could be left [at Park Station's luggage depository] overnight in a suitcase, thus causing a considerable explosion and perhaps even a fire in the middle of the night … harming no one, yet causing damage that could not go unreported"[73]. "He could save my life. He could save *all* our lives," 'reasoned' Lewin mid-torture[74]:

> "If he told them about the luggage plan for the middle of the night, he could explain that it couldn't have been him who left the bomb at the platform entrance, not with rush-hour commuters who might be harmed. I said: 'John Harris.' The fists stopped. Viktor stepped forward and pulled Van der Merwe away, nodding at him and at the ceiling above us, which was rumbling with the sounds of scraping furniture and heavy thuds. 'Ons het hom,' said Viktor. John Harris. We've got him"[75].

While Lewin knows rationally that Harris was arrested for the station bomb before he named him and that the apartheid state "wanted [Harris] dead"[76], "as a prize exhibition, to help beat into submission anyone opposing the great apartheid dream"[77], he is himself left with the guilt of the survivor.

Lewin was further tormented by Leftwich's turn to state witness. Unforgivable for Lewin was not that Leftwich broke under the pressures of interrogation (as he had

himself) but that he gave evidence in open court. Deciding not to flee in part out of loyalty towards Leftwich, Lewin watched as Leftwich "[bought] his freedom by testifying against us"[78], thus helping to secure Lewin's seven-year prison sentence. "I felt nothing as I stared back at him [in the witness box]…, as if my heart was dead. He had killed our friendship… It was like murder. Terminal. Something that could not be reversed … That was the irredeemable moment, when he took the oath and started performing as a state witness"[79]. "[I]t was simple," says Lewin, "he had made *his choice* and I could see no way of there being any reconciliation between us"[80]. "Whatever the circumstances I was nevertheless an agent, not a victim. *I had chosen,* I had acted,"[81] Leftwich acknowledges. "I learned what was, for me, a simple lesson of immense importance: to take responsibility for what I'd done. Not why I had done it, nor the circumstances of my doing it, but that I had done it. That I had betrayed my colleagues," he says[82], arriving, however belatedly, at an approximation of the acceptance of responsibility characterising Lewin's decisions throughout.

More deeply concerned with abandoning the corrosive feelings associated with Leftwich than with their actual re-encounter (only scantly described in the book), Lewin's journey of reconciliation became possible in the wake of his TRC experience.

His thoughts of Leftwich filled "with bitterness and anger rolled together"[83], and clinging to him "like armour"[84], Lewin's identity was long defined by Leftwich's actions[85]. "I had grown used to clinging to Adrian's guilt" he says[86]. Responding to Leftwich's account, Lewin began to transform his former friend's "irredeemable moment" of choice into the beginning of his own journey to reconciliation.

More deeply concerned with abandoning the corrosive feelings associated with Leftwich than with their actual re-encounter (only scantly described in the book), Lewin's journey of reconciliation became possible in the wake of his TRC experience. His "emotions and judgement"[87] were 'challenged'[88] by survivor testimonies from the outset of the TRC's human rights violations hearings. The TRC "was an important part of my journey from Park Station [where ARM's project blew up and fell apart] to York [Leftwich's city of refuge], and there were several stops along the way," says Lewin[89]. Together, these TRC-related stops turn *Stones* into a meditation on violence and terror generally and, particularly, on other bomb blasts in apartheid history (Church Street, 1983; Amanzimtoti, 1985; Magoo's Bar; the 1982 bomb attack on the ANC's London headquarters; the parcel bombs that killed Ruth First, in Mozambique in 1982, and Jenny and Katryn Schoon, in Angola in 1984).

Drawing on his own notes[90] of TRC testimonies, Lewin describes his response to the "clarity of mind"[91], "rare compassion"[92] and "extraordinary belief in the need to find his own path to reconciliation"[93] that characterised the testimony of Hennie Smit, father of Cornio who was killed in Amanzimtoti. "After Cornio's death, and after nineteen year old Andrew Zondo had been sentenced and executed for the attack, Smit sought out Zondo's parents and commiserated with them …. Ask[ing them]: what is it about apartheid that it kills our children, whichever side they're on?"[94] records Lewin. "Why, if [he] could make such momentous decisions involving such devastating events, could I not make similar judgements involving my own friends? Indeed, was there any comparison at all between the gravity of their cases and mine?" he asks[95]. Lewin highlights, also, "the extraordinary meeting"[96] between Aboobaker Ismail, who planned the Church Street bomb, and Neville Clarence who was blinded in the attack. "I wanted to say [to Ismail] I have never felt any bitterness towards him[97]. Reconciliation does not just come from one side. We were

on opposite sides, and, in this instance, I came off second best," said Clarence[98]. "[T]his is very difficult. I am sorry about what happened to you," Ismail replied[99]. "Clarence said he bore no grudges. That's reconciliation made of steel", says Lewin[100], glimpsing the imaginative possibility of replacing his own armour of bitterness with this steel of reconciliation. Premised on sustained recognition of the experience of the 'other side', Lewin's representation of Smit and Clarence represents TRC logic of reconciliation at its most meaningful.

Particularly "poignant"[101] for Lewin was the hearing into the role of the prisons under apartheid[102], held "symbolically"[103] "in a marquee in the yard outside the punishment block"[104] of the Johannesburg Fort from where Lewin had been released at the end of his sentence[105]. Death row survivor Duma Khumalo's evidence evoked memories of Harris, "my friend who died by hanging"[106]; Magoo's Bar bomb accomplice Zahra Narkedien's 'graphic' testimony of detention at the Fort evoked Leftwich and Lloyd:

> "[O]ne particular evening one [of the huge rats, the size of cats, that were in the cells … all the time] was crawling on me and I didn't quite mind until it got to my neck, when I screamed the whole prison down. When [the guards] eventually came, they found me in the corner and I was actually eating my T-shirt. That's how berserk I went," testified Narkedien[107].

"[D]etention and its berserkness … [T]he prison hearing seemed to me the ideal setting for someone like Adrian, or John Lloyd, … to have come forward to explain ... about some of the other effects of detention – like testifying against one's comrades," comments Lewin, reflecting on the psychological impact of torture and detention"[108].

Lewin's journey of reconciliation with Leftwich should not be misread as his wide embrace of forgiveness or the TRC's culture of impunity.

Recording panellists' question to witnesses, "What can the commission do for you?"[109], and the witnesses' response: "Nothing … just bring us back their bones … so that we know where they are"[110], Lewin began to embark on his own metaphorical search for his 'bones', overcoming his "aloof" "proud silence"[111] to contact Leftwich. "By focusing on his guilt, I could avoid acknowledging my own lack of self-understanding … If I forgave him, if I laid down my anger, what would define me?" asks Lewin[112], equally "curious"[113] about himself as about Leftwich.

Lewin's journey of reconciliation with Leftwich should not be misread as his wide embrace of forgiveness or the TRC's culture of impunity. While Lewin generalises witnesses' embrace of the healing offered by Tutu in exchange for forgiveness of perpetrators ("there's no point in seeking revenge. I forgive them because not doing so will not help me in any way"[114]), the actual testimonies he represents tell a different story. Margaret Madlana, testifying at the Alexandra township hearing in October 1996, describes witnessing Bongani, her twelve-year old son, being "shot in the yard and … being pulled out by the white police"[115]. "He is not yet dead. On the road is a very big rock and when they arrive at the rock they pull him up and hit him against the rock to kill him," Lewin records[116]. "I will never forgive", said Madlana[117]. "How can she ever be expected to forgive?" Lewin asks[118].

Lewin describes another woman's testimony of "how her son and friends were slaughtered by the police"[119]. They were, she said, "assaulted until they died because

we couldn't even identify him. … His eyes had been gouged out. He was never shot … He was violated … mutilated. I only identified him through … a certain mark on his thumb"[120]. "I want the people who killed my son to come forward because this is a time for reconciliation. I want to forgive them," the mother said at the 1996 Empangeni hearing chaired by Tutu[121]. However, Lewin records how she immediately wandered from the TRC's prevailing discursive framework: "but I want to speak to them before I forgive them. I want them to tell me who sent them to come and kill my son"[122]. Lewin also records Tutu's characteristic response:

Absorbing the TRC's lessons while retaining distance from its hegemonising forgiveness narrative, Lewin is able to acknowledge the TRC's limitations …

> "Our sympathy goes to you for all the hurt that you had to go through … We are going to find the truth and medicine that will heal our country to make us one, so that we can have reconciliation. Thank you very much for having sympathy for other people while you have your own problems and your own hurt. That is called humanity. That is what we are trying to have now so that everybody can stop being selfish," said Tutu[123].

While avoiding the troubling question of how Tutu hears sympathy for her son's murderers in the grieving mother's traumatic testimony, by representing her critical rejoinder Lewin implicitly distances himself from Tutu's logic:

> "But the mother insisted on adding: 'Do not take me wrong, my Bishop. You cannot make peace with someone who does not come to you and tell you what he has done. … I do not want to lie to the house. I will not be able to forgive anyone until I know who they are. Then I will shake their hands. Otherwise I will not be able to forgive somebody that I do not know"[124].

"Know them, *then* forgive them," concludes Lewin[125], listening differently to her testimony. Absent from this statement is Tutu's idealised theology, any unilateral turning-the-other-check. Absorbing the TRC's lessons while retaining distance from its hegemonising forgiveness narrative, Lewin is able to acknowledge the TRC's limitations: Madlana's request to track the policemen remains unsatisfied[126]; "the Empangeni killers never came forward"[127].

Lewin is similarly uninterested in 'reconciliation' with his own apartheid perpetrators. At an amnesty hearing three decades after his detention, Viktor, now a retired brigadier-general[128] "living on a farm in the Hobhouse district"[129], "stumbled[130] back into Lewin's life. Lewin learns that in the mid-1980s, "the very worst of times"[131], Viktor had been in charge of security in Soweto and that, as head of counter-insurgency in Pretoria, he'd established Vlakplaas. "Leave aside the well-known hitmen: Eugene de Kock, Dirk Coetzee and Joe Mamasela. The real monster was Viktor," says Lewin[132] who, watching him being cross-examined by the TRC, was "pleased not to be in a room again being interrogated"[133] by him. Cognisant that "men like [Viktor] no longer had any power"[134] in democratic South Africa, Lewin knew also that he still retained "a special power"[135] over him as he sat "sweating in the audience"[136]. Challenging himself to "face him without being intimidated"[137], "to break [his] hold"[138], Lewin encountered his torturer. "I took his outstretched hand. We both squeezed hard and stared at each other," says Lewin[139]. "I felt I was standing again inside that chalk circle on the floor in the interrogation room …, but I wasn't moving," he says[140]. This unexpected meeting between Lewin and Viktor should not be confused with reconciliation between survivor and perpetrator.

"[H]ell, man, we gave these people a hard time"[141], Viktor laughingly told his lawyer. "I didn't feel I wanted to ask him how he could laugh about it. I didn't feel that I liked him much," says Lewin[142], seeking healing from the sustained psychological damage of the power relationships imposed by his torturer rather than reconciliation with him. "Enough that we had stood together …, and I had not retreated. I'd broken out of his web of fear. The terror was gone. He no longer had control. Now, down the prison corridors of my memories, we were quits," he says[143].

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Rejecting, for himself as for others, the facile forgiveness of perpetrators sought by Tutu from survivors during human rights violation hearings, Lewin explicitly criticises the TRC's granting of amnesty. Supporting his former cellmate Marius Schoon[144], Lewin attended two sessions of the 1998 amnesty bid of Craig Williamson ("one of the most sinister characters to emerge from the TRC process"[145]) for the bomb attack on the ANC's London headquarters, and the parcel bomb assassinations of First and Schoon's wife, Jenny, and four-year old daughter, Katryn[146]. "These 'enemies of the state' had been targeted to be blown into oblivion by letter bombs so powerful that – as Marius described it later in a poem – Jenn and Katryn were splattered over the walls of their apartment," says Lewin[147]. Lewin described the legal right afforded perpetrators like Williamson to apply for amnesty as "the cruellest provision of the TRC legislation"[148], and the granting of indemnity against prosecution as "one of the TRC's most painful compromises"[149]. "[W]as that justice?" he asks[150].

Separating himself with these three words from the TRC cultural industry, Lewin implicitly rejects Tutu's theologically-driven promotion of the TRC ("forgiveness") as a post-Nuremberg ("revenge") step forward in the progressive journey of human civilisation. Instead, he trenchantly joins hands with other loyal South Africans critical of the lack of justice delivered by the TRC. Thus, he describes "an unexpected development"[151] in the "bizarre"[152] amnesty hearing when Williamson "demonstrate[d] his appreciation of reconciliation by offering to share lunch" with Schoon[153], providing "a chance" for them "to discuss and reconcile [their] differences"[154]. "'Well, indeed,' said the judge gaily, 'and what is your response to that suggestion, Mr Schoon?'," Lewin records[155]. "'It is, my lord, probably the most obscene suggestion I have ever heard'," Lewin records, sympathetic to his friend who, after "the judge grumpily declared the session closed for lunch"[156], left the hearing closely followed by Williamson who "almost touch[ed] shoulders with the man whose wife and daughter he had obliterated"[157]. Lewin also affirms Gillian Slovo, an outspoken critic of forgiveness, who, together with her sisters, "objected … on all grounds"[158] to Williamson's application for their mother, First's, murder, and who Lewin heard at the first Williamson hearing he attended.

Having himself grappled for nearly fifty years with the tragic consequences and moral implications of what he subjectively and voluntarily considers his responsibility for the station bomb, Lewin remains scandalised by the TRC Amnesty Committee's facile granting of amnesty to Williamson, overriding Schoon's and Slovos' opposition[159]. "When I heard the news of the findings, I felt no peace nor any sense of reconciling. Marius died feeling considerable anger at the TRC amnesty process. It lacked justice, he felt, and had not sufficiently – if at all – tested the principles of proportionality. I had to agree with him," says Lewin[160].

"I realised I still had a long way to go before I could feel the force of reconciliation, especially as Marius … became terminally ill with lung cancer. He died on 7 February 1999. Williamson, protected against prosecution for his murders, became an import-export businessman, occasionally spotted driving his 4x4 through Johannesburg's wealthy northern suburbs," he says[161]. Lewin drives the same streets, still grieving about the station bomb and Harris, cognisant from his post-TRC vantage point that "at any other time and in most other places, John would probably have been found guilty of manslaughter"[162] or, if convicted of murder, would have received amnesty[163].

A deep post-TRC reflection on the responsibility for the other, *Stones* is continuous with Lewin's commitment to justice and decency (the product of his Anglican priest father's teachings of love, compassion, faith and honesty, and his missionary nurse mother's compassion for the sick and lame) that underpinned his involvement in anti-apartheid sabotage.

It is Lewin's sustained acceptance of responsibility that will, arguably, leave his most enduring and explosive mark on the pursuit of South African justice. With *Stones,* Lewin has brought us closer to the moral universe elaborated by French philosopher Emanuel Levinas, including in his discussion of the biblical institution of the city of refuge[164]. Described in Numbers 35, these cities are designated to provide safe havens for the manslayer who is guilty of "an 'objective' murder" which, "committed as an unwitting act of homicide"[165], was "without intent to harm"[166]. "[W]hen, for example – a biblical example – an axe-head comes away from its handle during the work of the woodcutter and deals a mortal blow to a passer-by, this murder cannot be pursued before the court of judgement," says Levinas[167]. Deprived of recourse to the court of judgement by the manslayer's absence of intent, the close relation of the victim, the "avenger of blood"[168] whose heart is justifiably "heated"[169] by the murder, still retains "the right to carry out an act of vengeance"[170]. The city of refuge acknowledges the legitimacy of the victim's rage while simultaneously providing the manslayer protection from it. "The 'avenger of blood' can no longer pursue the murderer who has taken refuge in a city of refuge; but for the manslayer, who is also a murderer through negligence, the city of refuge is also an exile: a punishment," says Levinas[171]. "The city of refuge is the city of a civilization or of a humanity which protects subjective innocence and *forgives* objective guilt and all the denials that acts inflict on intentions," says Levinas[172], recognising this forgiveness for the social advance it is.

Troubled nonetheless by what he delineates as this advanced civilization's "hypocritical"[173] acceptance of the two "races"[174] of *intentional* and *accidental* murderers, he hears contained within this biblical judicial double standard the intimations of a new mode of "the spirituality of the spirit"[175]. Specifically, Levinas envisages the possibility of a "great awakening"[176] spiritually, a "more conscious consciousness"[177] in which attentiveness to the other excludes the "oversight and absent-mindedness"[178] that leads, best intentions notwithstanding, to manslaughter. Imagining a political civilization advanced beyond even the forgiveness for the guilty innocent provided by the city of refuge, Levinas anticipates a consciousness pre-emptively accepting responsibility for the wellbeing and safety of others; a civilization that, ensuring the axehead is secure, prevents even unintentional damage. In this new spirituality, responsibility for the other is no longer limited by the negligence and lack of care of the manslayer's accident. Rendering the distinction between murderers and manslayers redundant through the replacement of the hypocritical split between intent and accident with a "complete" and "absolute" justice", this spirituality obviates the necessity of cities of refuge to provide forgiveness for the unwitting perpetrator.

Lewin has himself long moved beyond an ethic of responsibility limited by negligence. In accepting responsibility as he does, even for harm caused indirectly by his act of omission, harm for which he objectively is innocent, Lewin intimates a newly awakened spiritual consciousness. For Levinas, manslaughter, let alone murder, cannot be forgotten by taking refuge in spiritual life[179]; for Lewin harm caused to others cannot be forgotten (amnesia) by giving amnesty, by taking refuge in spiritual forgiveness. South Africans and others concerned with justice, and a society truly built on the rule of law, have long waited for Lewin's shift towards Levinas's realm of justice.

NOTES

1 Lewin, 2011, 128.
2 ibid, 128.
3 ibid, 129.
4 ibid, 106.
5 ibid, 81.
6 ibid, 69.
7 ibid, 106.
8 ibid, 144
9 ibid.
10 ibid, 72.
11 ibid, 92.
12 Adrian Leftwich, 2002.
13 Lewin, ibid 94.
14 ibid, 95.
15 ibid, 93.
16 Peter Brown's biographer, Michael Cardo, notes that while Brown "bore no grudges against those who had got out in time", "he thought the 'only people who come out of it [the resulting tragedy] with any credit are those in the dock, Hugh Lewin particularly, who refused to go and leave others behind'". Michael Cardo, 2010, p 194.
17 Lewin, ibid, 90.
18 ibid, 93.
19 ibid, p 90.
20 ibid, 90.
21 ibid, 93.
22 ibid, 90.
23 ibid, 93.
24 ibid, 107.
25 ibid.
26 Lewin, ibid, 91.
27 ibid, 107.
28 ibid, 98.
29 ibid, 55.
30 ibid, 72.
31 ibid, 98.
32 ibid.
33 ibid, 111.
34 ibid, 137.
35 ibid, 114,
36 ibid.
37 ibid.
38 ibid.
39 ibid.
40 ibid, 136.
41 David Beresford, 2010, 9-10.
42 Lewin, ibid, 111.
43 ibid, 116.
44 ibid.
45 ibid, 115.
46 ibid, 116.
47 ibid, 114.
48 ibid, 112.
49 ibid, 115.
50 ibid,116.
51 Interview with Hugh Lewin, 30 June 2011.
52 Lewin, ibid, 116.
53 Beresford, 334.
54 ibid, 332.
55 ibid, 333-334.
56 ibid, 334.
57 ibid.
58 ibid.
59 Lewin, ibid, 111.
60 ibid.
61 ibid, 109.
62 ibid, 164.
63 Lewin, ibid, 110.
64 ibid, 131.
65 ibid, 106.
66 ibid.
67 ibid.
68 ibid.
69 ibid, 137.
70 ibid, 17-18. My emphases.
71 ibid, 105.
72 ibid, 110.
73 ibid, 109.
74 ibid, 110.
75 ibid, 110-111.
76 ibid, 136.
77 ibid.
78 ibid, 101.
79 ibid.
80 ibid, 174. My emphasis.
81 Leftwich, 30. My emphasis.
82 ibid.
83 Lewin, ibid, 174.
84 ibid, 102.
85 ibid, 174.
86 ibid, 182.
87 ibid, 145.
88 ibid.
89 ibid, 142.
90 Lewin is aware that the fast-paced TRC process remains to be fully assimilated or represented. Interview with Hugh Lewin, 30 June 2011.
91 Lewin, 2011, 144.
92 ibid.
93 ibid, 145.
94 ibid, 144.
95 ibid, 145.
96 ibid, 146.
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125 ibid. My emphasis.
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164 Emanuel Levinas, 2007.
165 ibid, 39.
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167 ibid.
168 ibid.
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172 ibid, 51. My emphasis.
173 ibid.
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